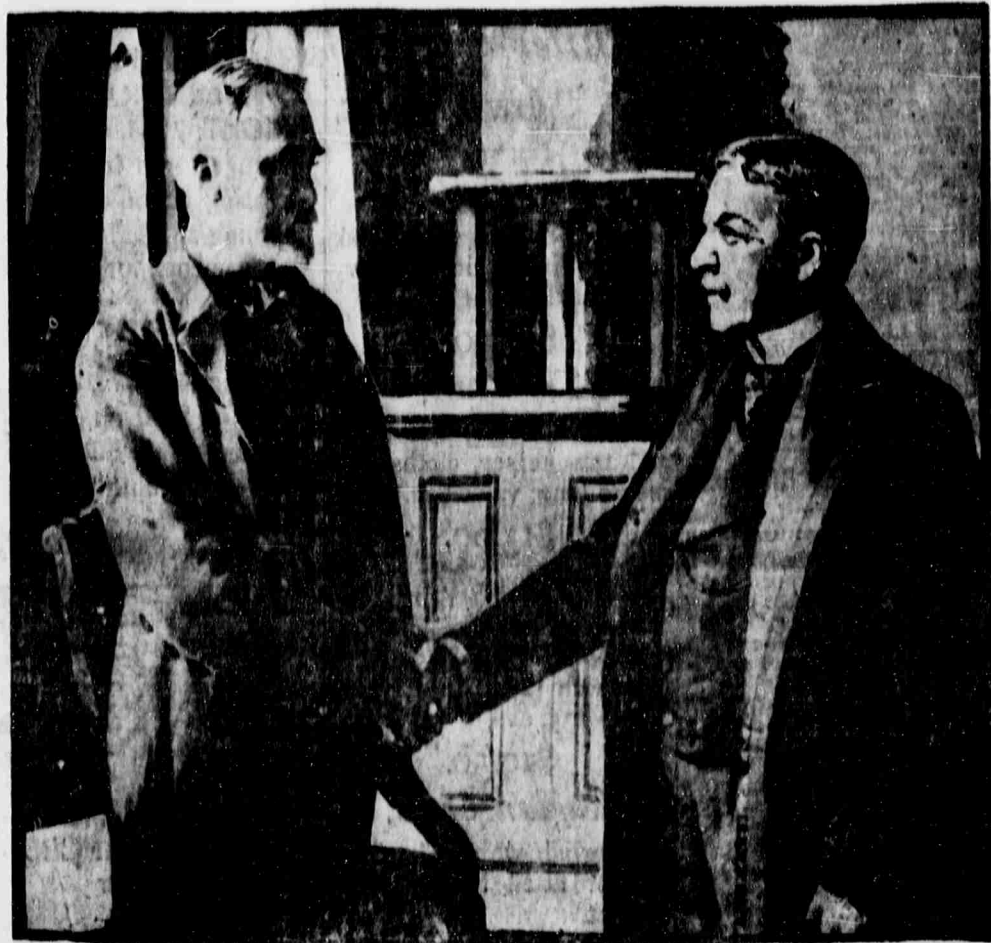


**M'LAUGHLIN, SHEVLIN,
YORK, TAMMANY "5,"
COMMITTEE OF 15,
ALL DEMAND**

CHIEF DEVERLY'S RETIREMENT

**GARDINER WEEPING GOES;
BUT THREATENS FIGHT.**



GARDINER'S FAREWELL TO PHILBIN.

(Photographed expressly for The Evening World in the office of the District-Attorney at 11 o'clock A. M.)

**Tells Philbin Governor's
Action Has "No Authori-
ty in Law."**

Eugene Ambrose Philbin took charge of the District-Attorney's office today, and Col. Asa Bird Gardiner, in a speech saying he surrendered the place under protest, made it evident that he does not intend to relinquish the fat position without making a bitter fight.

The declaration came as a surprise, for it was thought by Col. Gardiner's friends that he would give up the position without a contest.

The farewell of Col. Gardiner and the staff was tearful. The eyes of all of the men were moist, and he and Assistant District-Attorney McIntyre kissed each other good-by. This remarkable leave-taking, following closely the Colonel's declaration regarding his dismissal, made the day one of the most eventful in the history of the office.

The private room of the District-Attorney was filled with the assistants, who had come to be presented to the new chief by Col. Gardiner when he made the speech. He said:

Mr. Philbin, I would like it thoroughly understood that I do not willingly surrender this office, and that I protest against the action of the Governor as being without authority of law. I am anxious, however, while protesting against the act and reserving all my legal rights, that the public business shall not be injured or retarded, and to that end I shall be pleased to co-operate with you in any way you may think best in the public interest.

Mr. Philbin did not seem surprised. "I thank you cordially, Col. Gardiner, for your offer," he said. "It was hardly necessary for you to make it, as I felt assured you would be ready to give me every assistance in your power, and I shall not hesitate to call on you."

Presenting the Staff.

Col. Gardiner then presented the assistants, beginning with John F. McIntyre, saying that the latter had secured more convictions for murder than any other man in the world. For each of the men presented in turn he had a good word. Then when all of them had been presented Mr. Philbin said: "Gentlemen, I am very pleased to

meet you all." He gave no indication of what he would do in the conduct of the office.

Col. Gardiner then took Mr. Philbin on a visiting tour to the various judges. Col. Gardiner when questioned regarding his declaration was inclined to be diplomatic. "I did that," he said to an Evening World reporter, "to reserve any privileges I may have for future action. I do not say that at present I intend making a fight."

In anticipation of his coming the entire force of the office was on hand an hour earlier than usual—the 32 assistants and 150 clerks, county detectives and other attaches.

Filing His Commission.

On his way to the Criminal Courts Building, Mr. Philbin stopped in the County Clerk's office and filed his commission.

Accompanied by his private secretary, Mr. Shortridge, he reached the District-Attorney's office at 9:30 o'clock. He was met by Policeman Palmer, detailed to the office, and ushered into the private office.

Five minutes later Col. Gardiner entered the office and found Mr. Philbin seated at the official desk. Col. Gardiner greeted his successor cordially.

Asked if he had anything to say regarding his proposed policy, District-Attorney Philbin said:

"I have absolutely nothing to say on that subject. As you are, no doubt, aware, I know nothing so far as to the workings of the office and am in no position to talk about proposed changes at the present time."

Col. Gardiner said farewell to the staff at noon.

When he came out of the library after saying good-by to his assistants, there were tears in his eyes. In the corridor were gathered many newspaper men and others, persons he had met during his term in office. He shook hands with many of them and when he got to the elevator embraced Assistant District-Attorney McIntyre, and said:

"John, my boy, I'll never forget you."

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"John, my boy, I'll never forget you."

**MRS. STOKES IS
CITY OFFICIAL.**

**Anson Phelps Stokes's
Daughter-in-Law a
School Inspector.**

Mrs. L. N. Phelps Stokes, wife of Anson Phelps Stokes's eldest son, has been appointed School Inspector in the Twelfth District.

Mayor Van Wyck made public the selection today at the same time that he announced that of Mrs. Arthur Terry, of 24 East Eighteenth street, for a similar post.

"I did not solicit the appointment," said Mrs. Stokes to an Evening World reporter this afternoon. "It was secured through the efforts of Mr. Rudolph Schirmer."

"I shall accept, however, now that I have been chosen, and try to fulfill the duties of the place as best I can. Whatever the city requires of its school inspectors I shall try to accomplish in the Twelfth District."

Mrs. Stokes was before her marriage Miss Edith Minerva, one of the old New York families of that name.

Mrs. Arthur Terry is the wife of Arthur Terry, Secretary of the City Trust Company. She is well known locally.

**CUBA MUST PAY
ALL THE CLAIMS**

**United States Will Not
Assume Debts Against
the Island.**

WASHINGTON, Dec. 26.—Inquiries having been made concerning the liability of the United States Government for claims against Cuba, the statement has been made that no definite answer will be made until the character of the claims have been ascertained.

The State Department has, however, in its response to Germany, of which Great Britain and France have been informed, laid down the principle that the permanent government to be ultimately established must assume the obligations to foreign governments for damages growing out of the troubles in the island.

In other words, the United States will not assume any responsibility for such claims unless Cuba becomes a dependency of this country, and the question must be held in abeyance until the form of government for the island has been ascertained.

The government holds also that claims of Porto Rican citizens for damages done to their interests in Cuba must be made against the Cuban Government to be established, and not against the United States unless the Cuban people decide against independence.

**NO PROMOTIONS MADE BY
POLICE COMMISSIONERS.**

The Police Board held a meeting at 4 o'clock this afternoon after the commissioners had all been at Headquarters for about an hour. The board did not act on the eligible list sent to Headquarters during the afternoon for promotions. This went over until next meeting. The commissioners refused to say whether Devery was discussed or not. The meeting lasted until 5:30 o'clock.

ASKS INJUNCTION FOR ASPHALT COMBINE.

An injunction was asked for today in Newark to stay the transfer of \$36,000,000 of capital stock, par value, of the Asphalt Company of America, now the American Company, to the National Asphalt Company, a New concern. Harry C. Spinks of Ohio, alleges that the transfer when the National is to absorb the American Company is a plan to defraud the holders of the securities of the latter.

ESCAPED FROM MORRIS PLAINS ASYLUM.

Mr. Jane McLaughlin of Ridgewood, N. Y., went to the Morris Plains Asylum on Christmas evening loaded down with Christmas presents for her son James, twenty-three years old, an inmate of that institution. Her surprise can be imagined when told that her son escaped from the asylum ten weeks ago and had not been seen since. It is feared the young man has been frozen to death in the woods.

NEW ORLEANS RESULTS.

FIFTH RACE—Miss Hanover 1, Belle Simpson 2, McGowan 3.
SIXTH RACE—W. D. Gates 1, Pacemaker 2, Etnell 3.

**JEFFRIES-ROHLIN
FIGHT CALLED OFF.**

**Manager Brady Announces that
the Bout Won't Go
in Cincinnati.**

William A. Brady this afternoon announced that the fight between James Jeffries and Gus Rohlman, scheduled to take place in Cincinnati on Feb. 15, will not be permitted by the authorities of that city.

Brady said that he had received word to this effect from the officials of the club which was to manage the affair.

This being the case, the bouts arranged for "Kid" McCoy and Tommy Ryan and Terry McGovern and "Kid" Lavigne are declared off for the present. It is said that Terry McGovern will now make arrangements to go to England to fight Ben Jordan.

**THREAT OF JAIL FOR
COUNT DE CASTELLANE.**

PARIS, Dec. 26.—Maitre Foucauld, counsel for Wertheimer, the art dealer, caused a stir in court today when he announced that if Count Boni de Castellane did not pay the bills he owed Wertheimer he would institute criminal proceedings.

He referred to Count Boni in a surging manner, saying he was more knave than fool.

Before the First Civil Tribunal of Seine today, Maitre Bonnat resumed his claims of Porto Rican citizens for damages done to their interests in Cuba must be made against the Cuban Government to be established, and not against the United States unless the Cuban people decide against independence.

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**DELLA FOX IS NOW
MRS. JOHN LEVY.**



DELLA FOX.

**Little Comedienne Married
in Baltimore at
Noon To-Day.**

BALTIMORE, Dec. 26.—Della Fox, the comedienne, was married at noon today to John Levy, said to be a New York sporting man. The ceremony was performed in the private office of Chief Clerk James H. Livingston, at the new Court-House, by the Rev. W. T. Way, of the Emanuel Reformed Episcopal Church.

Miss Fox is playing at the Lyceum Theatre this week. She appears to be in excellent health.

Mr. Levy, the husband of Della Fox, is a diamond broker, well known in theatrical circles. His right name is Jacob David Levy. This is his second marriage. His first wife was an actress named Helen Leslie.

Della Fox is one of the best known and most popular singing comedienne on the stage. She was born in St. Louis thirty years ago, and made her professional debut when very young, playing in "Editha's Burglar." Later she joined one of the numerous juvenile "Pinafare" companies, where her remarkable voice attracted the attention of Herr Corried, who was presenting the comic opera called "The King's Fool." She joined this organization and won immediate favor in the West. Leaving Herr Corried's management, she became the acrobat of De Wolf Hopper's company, and made herself a favorite in New York, by her work in "Clasies in the Air." Her song, "A Shady Nook, a Babbling Brook," was extremely popular, and made Miss Fox the talk of the town. She remained with Mr. Hopper several seasons and then left him to star.

She played in "Pur de Lais," "The Little Trooper," and other operas, with varying success, and then formed a combination with Lillian Russell and Jefferson de Angelis, appearing in "The Wedding Day." When this partnership was dissolved she again tried stardom, but was a failure in "The Little Host."

Last Summer Miss Fox was sent to a sanitarium on Long Island, suffering from nervous prostration, but quickly recovered and became a leading woman for the Rogers Brothers, appearing in "The Rogers Brothers in Central Park" at Hammerstein's Victoria.

She did not meet with popular favor, and the management of that company gave her the usual two weeks' notice, and her place was taken by Isador Hush. Miss Fox then went into vaudeville, playing the Proctor theatres in this city.

The rumored marriage of Miss Fox has been often heard, once to a son of the late Judge Pitkin, and again to an actor named Hugh Chivers, but all of these reports Miss Fox denied.

**ROCKEFELLER
AMID TYPHOID.**

**Two of the Millionaire's
Grandchildren
Afflicted.**

Typoid fever has ruined the Christmas pleasure of multi-millionaire John D. Rockefeller.

The marriage of Miss Alta Rockefeller, which was to have occurred Jan. 17, was postponed on account of the illness of her sister, Mrs. Harold McCormick's, children.

Incident to the home-coming of his daughter, Alta, who has just returned from Europe with her fiancé, E. Parmelee Proutie, of Chicago, the head of the family planned a family reunion at his manor house in the Pocantico Hills.

His daughters, Mrs. Harold McCormick and Mrs. Charles E. Long, with their husbands and children, arrived there several days ago. They were to greet their sister, who has recently so marvelously recovered her health, and before her post her wedding, which is set for early in the coming year.

The two children of Mrs. McCormick, however, typhoid fever. Yesterday there was no Christmas cheer in the big mansion.

The illness is practically a state of quarantine, and every one is filled with the gloomiest forebodings.

Mr. Rockefeller, unimpaired of danger, is hovering over the bedside of his little granddaughters.

**Organizations and Individuals for Various
Reasons Wage War on
the Head of the Police
Department.**

**Ultimatum of Brooklyn
Democrats Sent to Van
Wyck — Police Board
Meets This Afternoon.**

The storm is gathering black about Chief Devery.

This afternoon James Shevlin, acting for the Brooklyn organization, demanded of Mayor Van Wyck that Devery be retired.

Chairman Nixon, of the Tammany Committee of Five, holds Devery responsible for the city's present condition.

Members of the Citizens' Committee of Fifteen denounce Devery.

President York, of the Police Board, is waging a relentless war on Devery.

James Shevlin, representing the Kings County Democracy, presented an ultimatum to Mayor Van Wyck to-day that Chief of Police Devery must be retired by Jan. 1.

Mr. Shevlin and the Mayor had a long conversation in the latter's private office, but neither would discuss the result of it later.

The information regarding the purpose of Mr. Shevlin's visit was obtained from a person who accompanied him from Brooklyn.

Mayor Van Wyck was to have attended an important bond sale in the Comptroller's office, but so engrossed was he in Mr. Shevlin's visit that he failed to put in an appearance and the sale took place without him.

Mr. Shevlin refused to talk for publication when he left the Mayor's office, except to say that the views of the Kings County Democrats in the Police Board would be presented by Mr. York.

Willing to Let Him Retire.

It is not the intention of the Brooklyn Democratic leaders to ask for Devery's removal, but merely for his retirement on half pay. The votes of three Commissioners are sufficient to retire a police officer. If the Board were to remove Devery he could apply to the courts for reinstatement.

It is understood that the Tammany Hall leaders are willing that Devery should be retired, and it is further said that Devery himself, now that he realizes the feeling against him, acquiesces in the decision.

The Police Commissioners were all on hand this afternoon ready for a meeting of the Board.

Chief Devery arrived at Police Headquarters early this afternoon and locked himself in his private office.

Later he sent for an Evening World reporter and said: "You have something to do as well as I have. I have nothing to say. There is no use of waiting to interview me. I won't say a single word more today."

Tammany Falls Him.

Tammany, through its Vice Committee, is making a scapegoat of Chief Devery. The gamblers refuse to close up despite the Chief's orders. Persecution is being directed against him, and the end is being accomplished, and the first sign will be Devery's retirement.

Pretty Hot for Devery.

An Evening World reporter Police Commissioner Heas said this afternoon: "The retirement of Chief Devery has never been discussed by the Police Board at any meeting I attended, nor has any Commissioner suggested to me such a course."

"Do you think he will be forced to resign?" the reporter asked.

"Sometimes people get out and sometimes they have to get out. The Chief has found it pretty hot lately, was the significant reply."

"Commissioner Sexton was asked: 'Will Tammany demand Devery's resignation?'"

"I never heard it, and even if I did I wouldn't talk about it."

"Will a new Chief be appointed Jan. 1?"

"Certainly if there's a vacancy."

Commissioner Abel said: "Oh, what's all this fuss about? I don't know. That's Tammany's business, and I wouldn't say anything about Tammany's purpose."

Commissioner York wouldn't talk.

To Cure a Cold in One Day.

One Laxative Bromo-Quinine Tablet. All drug stores retail the money if it fails to cure. E. W. Grove's signature is on each box. 25c.